

## **Erie County Ethics Board**

July Meeting Minutes

July 2, 2018 8 a.m.

16<sup>th</sup> Floor Rath Building

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### **MEMBERS:**

\_\_\_ Steven Schwartz, Chair  
\_\_\_ Chris Trapp, Vice-Chair  
\_\_\_ Rebecca Town, Secretary  
\_\_\_ Warren Galloway

### **STAFF:**

\_\_\_ Leslie Ortiz-Fogg, Counsel  
\_\_\_ Vianne Uthman, Administrative Staff

### **OTHERS PRESENT:**

\_\_\_ Ross Kostecky, Legislature Office (recording)  
\_\_\_ Cheryl St. George-Calleri Evans Ethics Committee

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1. Meeting called to order at 8:10 a.m.
2. May 2018 meeting minutes reviewed and approved. Motion by Galloway; Seconded by Town (June meeting cancelled for lack of quorum.)
3. Website Updates / Email Updates (Uthman /Town /Schwartz):
  - i. Request for opinions/actions: general questions regarding new filing forms
    - i. State (NFTA) responded to Buffalo News article on reporting responsibilities of various authorities explaining that NFTA files State Financial Disclosure Forms. After this year's financial disclosures have been completed the Ethics Board will need to review the process as it relates to the authorities such as Sewer, ECIDA, the Water Authority etc.
  - ii. FOIL Requests:
    - i. 4/10/18 Szanyi re: Morton documents, the litigating attorneys request was responded to by Counsel
    - ii. Szanyi additional request for records relating to procedures: referred to Counsel
    - iii. 5/17/18 Spina (Buffalo News) requests for current Financial Disclosures for elected officials.
  - iii. Other communications: Schwartz/Ortiz-Fogg
    - i. 5/9/18 Meeting with Board and staff of Erie County Water Authority (ECWA)- requirement to file disclosures and request for modified form; submission of list for disclosures; potential removal of names \* 43 names have been submitted.
    - ii. 6/3/18 Open Government Report on ethics disclosures-discussed Report which had Erie County Ethics Board ranked high, but was still not accurate in what it related as deficiencies
4. Old Business:
  - i. (Schwartz) Miles Gresham's resignation has been acknowledged. The Chair communicated such in a letter to the County Executive.
  - ii. (Trapp): Update in the matter of Morton vs. County of Erie, et al.: No update (see FOIL above)
  - iii. (Schwartz/Ortiz-Fogg) 5/18/18 Bredeen (DISS) review of employee with vendor contract
  - iv. (Uthman/Schwartz) Personnel notification of county employees, elected officials and Board members and collection of annual brief disclosures – Personnel planning on January rollout.
5. New Business:

- i. Only two disclosures remain outstanding. Both employees are on extended leave. Chairman Schwartz was given discretion to resolve both matters.
  - ii. Trapp will draft a non-disclosure agreement to be incorporated in the Boards Rules & Regulation and including an acknowledgment that only the Chair will be authorized to speak for the Board. A draft will be presented at the August meeting. All Board members did sign the Agreement at the meeting
  - iii. For 2019: Those designated in policy making positions have the right to appeal but this right was not included in the cover letter. The letter will be rewritten next year to include this. The Board will also seek to retain direct control over the notice of to those who must disclose directly instead of going through the department heads. It appears department lists have not been updated in some time. The notice should explain why someone is chosen, notify the right of appeal and include the possibility of a fine for delinquent submissions. Ultimately the Board should move to electronic transmission which would also allow people to request forms at no charge. We can begin to make electronic copies of disclosures of elected officials in the next year.
- 6. Next meeting scheduled for Monday August 6, 2018 at 8 a.m.. The September meeting will be moved to September 17, 2018 because of the holiday schedule.
  - 7. Motion to adjourn made at 8:42 a.m.
  - 8. Review of Disclosures (ECWA)